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91ST CONGRESS  
2D SESSION

S. 4571

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IN THE HOUSE OF REPRESENTATIVES

DECEMBER 11, 1970

Referred to the Committee on Armed Services

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**AN ACT**

To amend the Central Intelligence Agency Retirement Act of 1964 for Certain Employees, as amended, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*

2       *tives of the United States of America in Congress assembled,*

3       That—

4       SECTION 1. Section 204 (b) of the Central Intelligence

5       Agency Retirement Act of 1964 for Certain Employees, as

6       amended (78 Stat. 1043; 50 U.S.C. 403 note), is amended

7       by striking subsection (3) and inserting the following in

8       lieu thereof:

9       “(3) ‘Child’, for the purposes of sections 221 and 232 of

10      this Act, means an unmarried child, including (i) an adopted

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1 child, and (ii) a stepchild or recognized natural child who  
2 lived with the participant in a regular parent-child relation-  
3 ship, under the age of eighteen years, or such unmarried  
4 child regardless of age who because of physical or mental  
5 disability incurred before age eighteen is incapable of self-  
6 support, or such unmarried child between eighteen and  
7 twenty-two years of age who is a student regularly pursuing  
8 a full-time course of study or training in residence in a high  
9 school, trade school, technical or vocational institute, junior  
10 college, college, university, or comparable recognized edu-  
11 cational institution. A child whose twenty-second birthday  
12 occurs prior to July 1 or after August 31 of any calendar  
13 year, and while he is regularly pursuing such a course of  
14 study or training, shall be deemed for the purposes of this  
15 paragraph and section 221 (c) of this Act to have attained  
16 the age of twenty-two on the first day of July following such  
17 birthday. A child who is a student shall not be deemed to  
18 have ceased to be a student during any interim between  
19 school years if the interim does not exceed five months and  
20 if he shows to the satisfaction of the Director that he has a  
21 bona fide intention of continuing to pursue a course of study  
22 or training in the same or different school during the school  
23 semester (or other period into which the school year is  
24 divided) immediately following the interim. The term 'child',  
25 for purposes of section 241, shall include an adopted child  
26 and a natural child, but shall not include a stepchild."

1        SEC. 2. Section 221 (e) of the Central Intelligence  
2 Agency Retirement Act (50 U.S.C. 403 note) is amended  
3 to read as follows:

4        "(e) The commencing date of an annuity payable to a  
5 child under paragraph (c) or (d) of this section, or (c)  
6 or (d) of section 232, shall be deemed to be the day after  
7 the annuitant or participant dies, with payment beginning on  
8 that day or beginning or resuming on the first day of the  
9 month in which the child later becomes or again becomes a  
10 student as described in section 204 (b) (3), provided the  
11 lump-sum credit, if paid, is returned to the fund. Such an-  
12 nuity shall terminate on the last day of the month before (1)  
13 the child's attaining age eighteen unless he is then a student  
14 as described or incapable of self-support, (2) his becoming  
15 capable of self-support after attaining age eighteen unless  
16 he is then such a student, (3) his attaining age twenty-two  
17 if he is then such a student and not incapable of self-support,  
18 (4) his ceasing to be such a student after attaining age  
19 eighteen unless he is then incapable of self-support, (5) his  
20 marriage, or (6) his death, whichever first occurs."

21       SEC. 3. Section 221 of the Central Intelligence Agency  
22 Retirement Act (50 U.S.C. 403 note) is amended by delet-  
23 ing the last two sentences of paragraph (f), and adding the  
24 following new paragraphs (i), (j), and (k):

25       "(i) Except as otherwise provided, the annuity of a

1 participant shall commence on the day after separation from  
2 the service, or on the day after salary ceases and the partici-  
3 pant meets the service and the age or disability requirements  
4 for title thereto. The annuity of a participant under section  
5 234 shall commence on the day after the occurrence of the  
6 event on which payment thereof is based. An annuity other-  
7 wise payable from the fund allowed on or after date of enact-  
8 ment of this provision shall commence on the day after the  
9 occurrence of the event on which payment thereof is based.

10 "(j) An annuity payable from the fund on or after date  
11 of enactment of this provision shall terminate (1) in the case  
12 of a retired participant, on the day death or any other termi-  
13 nating event occurs, or (2) in the case of a survivor, on the  
14 last day of the month before death or any other terminating  
15 event occurs.

16 "(k) The annuity computed under this section is reduced  
17 by 10 per centum of a special contribution described by  
18 section 252(b) remaining unpaid for civilian service for  
19 which retirement deductions have not been made, unless the  
20 participant elects to eliminate the service involved for the  
21 purpose of annuity computation.".

22 SEC. 4. Section 236 of the Central Intelligence Agency  
23 Retirement Act (50 U.S.C. 403 note) is amended by delet-  
24 ing the words "nor a total of four hundred" and substituting  
25 the words "nor a total of eight hundred".

1 Retirement Act (50 U.S.C. 403 note) is amended by delet-  
2 ing paragraph (c) (1); renumbering paragraphs (c) (2)  
3 and (c) (3) to read (c) (3) and (c) (4); and inserting the  
4 following new paragraphs (c) (1) and (c) (2):

5 "(c) (1) If an officer or employee under some other  
6 Government retirement system becomes a participant in  
7 the system by direct transfer, the Government's contributions  
8 (including interest accrued thereon computed at the rate of  
9 3 per centum a year compounded annually) under such re-  
10 tirement system on behalf of the officer or employee shall  
11 be transferred to the fund and such officer or employee's  
12 total contributions and deposits (including interest accrued  
13 thereon), except voluntary contributions, shall be trans-  
14 ferred to his credit in the fund effective as of the date such  
15 officer or employee becomes a participant in the system.  
16 Each such officer or employee shall be deemed to consent  
17 to the transfer of such funds and such transfer shall be a  
18 complete discharge and acquittance of all claims and de-  
19 mands against the other Government retirement fund on  
20 account of service rendered prior to becoming a participant  
21 in the system.

22 "(c) (2) If a participant in the system becomes an em-  
23 ployee under another Government retirement system by di-  
24 rect transfer to employment covered by such system, the  
25 Government's contributions (including interest accrued  
26 thereon computed at the rate of 3 per centum a year com-

1   pounded annually) to the fund on his behalf shall be trans-  
2   ferred to the fund of the other system and his total contribu-  
3   tions and deposits, including interest accrued thereon, except  
4   voluntary contributions, shall be transferred to his credit  
5   in the fund of such other retirement system effective as of  
6   the date he becomes eligible to participate in such other  
7   retirement system. Each such officer or employee shall be  
8   deemed to consent to the transfer of such funds and such  
9   transfer shall be a complete discharge and acquittance of all  
10   claims and demands against the fund on account of service  
11   rendered prior to his becoming eligible for participation in  
12   such other system.”.

13       SEC. 6. Section 252 of the Central Intelligence Agency  
14   Retirement Act (50 U.S.C. 403 note) is amended by adding  
15   the following new paragraph (g) :

16       “(g) For the purpose of survivor annuity, special con-  
17   tributions authorized by paragraph (b) of this section may  
18   also be made by the survivor of a participant.”.

Passed the Senate December 10, 1970.

Attest:

FRANCIS R. VALEO,

*Secretary.*

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